REMARKS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the following remarks. Claims 1-20 were pending prior to the Office Action. Claims 21-40 have been added by this Reply. Therefore, claims 1-40 are pending. Claims 1 and 21 are independent.

ALLOWABLE SUBJECT MATTER

Applicants appreciate that the Examiner has indicated claim 4 defines allowable subject matter.

§ 102 REJECTION - DEGUCHI

In the Office Action, claims 1-3 and 5-20 stand rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Deguchi et al (U.S. Patent No. 6,480,202) (hereinafter "Deguchi"). Applicants respectfully traverse.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Deguchi fails to teach or suggest each and every claimed element. For example, the black-approximated data calculating means recited in independent claim 1 calculates a black-approximated data which is related to at least one of luminance, chromaticity, and tristimulus values in displaying black based on the characteristic in displaying black with the image display means on the basis of the black-display characteristic specifying data <u>and which is composed of the predetermined number of color data</u>. In addition, the black-correction processing executing means – also recited in claim 1 – executes the black correction processing to the image data <u>in units of the predetermined number of color data</u> based on the black-approximated data, to output the black-corrected image data. Consequently, in the configuration recited in claim 2 for example, the black-corrected image data can be outputted by a relative easy processing that performs a subtraction processing of subtracting a subtraction data based on the black-approximated data from the image data in units of the predetermined number of color.

In the Office Action, it is asserted that the combination of the addition law evaluating section 713, the matrix selecting

section 714, and the TRC model selecting section 715 of Deguchi is equivalent to the black-approximated data calculating means of the invention as claimed in claim 1. *See Office Action, page 2, lines 1-3; Deguchi, Figure 16.* The addition law evaluating section 713 determines if the law of addition holds true for mixing the colors of emitted light and outputs the outcome to the matrix selecting section 714, the matrix selecting section 714 outputs (selects) a conversion matrix (3 X 3, 3 X 4, and so forth) to XYZ values, and the TRC model selecting section 715 selects (outputs) a TRC model (simple model, GOG model, GOGO model, etc.). *See Deguchi, column 24, lines 27-33.*

It is clear that the aforementioned matrix and TRC model differ from the predetermined number of color as epitomized by RGB data. Thus, Deguchi's image processing section 100, which is asserted to be equivalent to the black-correction processing executing means as claimed, can correct a black relief only after executing a complicated processing as illustrated in Figure 17 of Deguchi. Further, there is <u>no disclosure</u> with respect to each step shown in Figure 17 regarding executing a

black correction processing <u>in units of predetermined number of</u> <u>color data</u> based on black-approximated data.

Deguchi simply fails to disclose or suggest a configuration including a black-approximated data calculating means calculating a black-approximated data composed of a predetermined number of color data, and also fails to disclose or suggest a black-correction processing executing means executing a correction processing to image data including the predetermined number of color data in units of the predetermined number of color data based on the black-approximated data to output a black-corrected image data.

For at least the above-stated reasons, independent claim 1 is distinguishable over Deguchi. Claims 2-3 and 5-20 depend from independent claim 1. Therefore, for the reasons stated with respect to independent claim 1 as well as on their own merits, these dependent claims are also distinguishable over Deguchi.

Applicants respectfully request that the §102 rejection of claims 1-3 and 5-20 based on Deguchi be withdrawn.

NEW CLAIMS

By this Reply, claims 21 - 40 have been added. It is believed that the newly added claims are also distinguishable over the cited reference. Applicants respectfully request that the newly added claims be allowed.
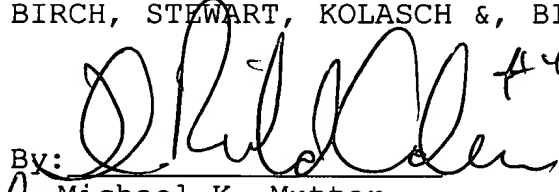
CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1. 17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s):   One annotated sheet showing changes to Figure 3 in red ink;
One Replacement Sheet for Figures 2 and 3